

IAP6 Rec'd PCT/PTO 07 SEP 2007

THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S) : Vild et al.
FOR : METAL SCRAP SUBMERGENCE
APPARATUS
SERIAL NO. : 10/580,727
INTERNATIONAL FILING DATE : 11/26/2004
EXAMINER : Unknown
ART UNIT : Unknown
CONFIRMATION NO. : 9369
ATTORNEY DOCKET NO. : MLCZ 2 00126

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. 371 IN THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)

MAIL STOP PCT

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450
Attn.: RO/US

Dear Sir:

Responsive to the Notification of Missing Requirements (copy attached hereto) mailed March 5, 2007, Applicant(s) submit(s) an executed Declaration and Power of Attorney.

The \$130.00 fee in payment of the surcharge required for filing the Declaration later than the filing date of the application is authorized to be charged to a credit card.

The appropriate form PTO-2038 is enclosed for this purpose. If the credit card is unable

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to be charged, please charge any and all fees or credit any overpayment to Deposit Account No. 06-0308. If there are any additional fees required by this communication, please charge same to Deposit Account No. 06-0308.

Respectfully submitted,

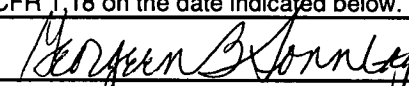
FAY SHARPE LLP

9/5/07

Date



Scott A. McCollister, Reg. No. 33,961
1100 Superior Avenue, Seventh Floor
Cleveland, OH 44114-2579
216-861-5582

Certificate of Mailing or Transmission	
I hereby certify that this correspondence (and any item referred to herein as being attached or enclosed) is (are) being	
<input checked="" type="checkbox"/> deposited with the United States Postal Service as First Class Mail, addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.	
<input type="checkbox"/> transmitted to the USPTO by facsimile in accordance with 37 CFR 1.18 on the date indicated below.	
Express Mail Label No.:	Signature: 
Date: 9/5/07	Name: Georgeen B. Sonntag



UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/580,737	Chris T. Vild	MLCZ200126

INTERNATIONAL APPLICATION NO.	
PCT/US04/39737	
I.A. FILING DATE	PRIORITY DATE
11/26/2004	11/26/2003

27885
 FAY SHARPE LLP
 1100 SUPERIOR AVENUE, SEVENTH FLOOR
 CLEVELAND, OH 44114

RECEIVED
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FAY SHARPE LLP

CONFIRMATION NO. 9369
 371 FORMALITIES LETTER

 OC000000022730089

Date Mailed: 03/05/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/26/2006
- Copy of the International Search Report filed on 05/26/2006
- Information Disclosure Statements filed on 05/26/2006
- U.S. Basic National Fees filed on 05/26/2006
- Priority Documents filed on 05/26/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

"DOCKETED"

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION,

WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

ANITA D JOHNSON

Telephone: (703) 308-9140 EXT 226

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/580,737	PCT/US04/39737	MLCZ200126

FORM PCT/DO/EO/905 (371 Formalities Notice)